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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE
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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 LOUIS ONG,

14 Defendant.
15

Case No. CR17-191RSL

ORDER GRANTING
STIPULATED MOTION TO
CONTINUE TRIAL DATE
AND PRETRIAL MOTIONS
DATE

16 This matter comes before the Court on the parties' "Stipulated Motion to Continue Trial
17 Date and Pretrial Motions Date." Dkt. # 26. Having considered the facts set forth in the
18 stipulated motion, the defendant's knowing and voluntary waiver, and the remainder of the
19 record, the Court finds as follows:

20 1. The Court adopts the stipulated facts set forth in the motion. Specifically, the
21 Court granted Mr. Ong's request for substitution of counsel on September 21, 2017. The Court
22 accordingly finds that a failure to grant a continuance would deny counsel the reasonable time
23 necessary for effective preparation, taking into account the exercise of due diligence, within the
24 meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

25 2. The Court finds that a failure to grant a continuance would likely result in a
26 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

27 3. The Court finds that the additional time requested is a reasonable period of delay,
28 as the defendant has requested more time to prepare for trial, to investigate the matter, to gather

1 evidence material to the defense, and to consider possible defenses; and that that the additional
2 time requested between the current trial date of October 23, 2017, and the new trial date of April
3 9, 2018, is necessary to provide counsel for Mr. Ong reasonable time to prepare for trial
4 considering counsel's schedule and all of the facts set forth above.

5 4. The Court finds that the case is sufficiently complex that it is unreasonable to
6 expect adequate preparation for pretrial proceedings or the trial itself within the current trial
7 schedule, as set forth in 18 U.S.C. § 3161(h)(7)(B)(ii).

8 5. The Court further finds that such a continuance would serve the ends of justice,
9 and that these factors outweigh the best interests of the public and the defendant in a more
10 speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

11 6. Defendant has signed a waiver indicating that he has been advised of his right to a
12 speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived
13 that right and consented to the continuation of his trial to a date up to and including April 23,
14 2018, Dkt. # 26-2, which will permit trial to start on April 9, 2018, per the parties' request.

15 IT IS HEREBY ORDERED that the trial date be continued from October 23, 2017, to
16 April 9, 2018.

17 IT IS FURTHER ORDERED that the pretrial motions cutoff date be continued to
18 March 2, 2018.

19 IT IS FURTHER ORDERED that the period of time from the current trial date of
20 October 23, 2017, up to and including April 23, 2018, shall be excludable time pursuant to the
21 Speedy Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to the filing and
22 granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§
23 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

24 DATED this 28th day of September, 2017.

26 

27 Robert S. Lasnik
28 United States District Judge